

**BOARD OF PATENT APPEALS AND INTERFERENCES
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Andrew C. Gilbert (deceased)
Application No. : 10/042,371 Confirmation No. : 6761
Filed : December 27, 2001
For : CREATING AND TRADING DYNAMIC SECURITIES
Group Art Unit : 3691
Examiner : Chuks N. Onyezia

Chief Administrative Patent Judge
Board of Patent Appeals and Interferences
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

**PETITION UNDER 37 C.F.R. §§ 41.3 and 41.4 FOR EXTENSION OF TIME TO
FILE REPLY BRIEF AND REQUEST FOR ORAL HEARING**

Pursuant to 37 C.F.R. §§ 41.3 and 41.4, Appellant petitions for a two-month extension of time to file a Reply Brief and Request for Oral Hearing in the present application, or in the alternative, for an extension of time to file a Request for Oral Hearing.

Specifically, the undersigned filed an Appeal Brief on December 29, 2009. An Examiner's Answer to the Appeal Brief was mailed on June 9, 2010. Accordingly, August 9, 2010 was the two-month response date for submitting a Reply Brief and Request for Oral Hearing.

The Examiner's Answer was mailed to the legal representative of the inventor, and not to the attention of the undersigned. As a result, the undersigned inadvertently was not aware that the Examiner's Answer was mailed and in particular, did not become aware of the Examiner's Answer until August 10, 2010 (i.e., one day after the two-month response date).

Appellant requests that the time to submit a Reply Brief and a Request for Oral Hearing be extended by two months to October 9, 2010. In the alternative, Appellant requests that the time to submit a Request for Oral Hearing be extended.

Authorization is hereby given to charge Deposit Account No. 50-3938 for payment of the petition fee set forth in 37 C.F.R. § 41.3(c), or in other words, to charge Deposit Account No. 50-3938 in the amount of \$400.00. Authorization is hereby given to charge payment of any additional fees required in connection with the present application to Deposit Account No. 50-3938.

Pursuant to 37 C.F.R. § 41.3(e), it is believed that this petition is timely.

August 23, 2010

Respectfully submitted,

/Glen R. Farbanish/
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For Appellant
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